

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On October 31, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]



PATENT
Attorney Docket No.: 018547-025010US
Client Reference No.: 3028.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Chee et al.

Application No.: 08/856,376

Filed: May 14, 1997

For: POLYMORPHISMS IN HUMAN
MITOCHODRIAL DNA

Examiner: Ardin Marschel

Art Unit: 1631

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference

should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance. Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:crf

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	08/856,376
				Filing Date	May 14, 1997
				First Named Inventor	Chee, Mark
				Art Unit	1631
				Examiner Name	Ardin Marschel
Sheet	2	of	2	Attorney Docket Number	018547-025010US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AA	GRAVEN et al., "Evolutionary Correlation between Control Region Sequence and Restriction Polymorphisms in the Mitochondrial Genome of a Large Senegalese Mandenka Sample," <u>Mol. Biol. Evol.</u> , 12(2):334-345 (1995).	
	AB	LIPSHUTZ et al., "Using Oligonucleotide Probe Arrays To Access Genetic Diversity," <u>BioTechniques</u> , 19(3):442-447 (1995).	
	AC	PETROS et al., "mtDNA mutations increase tumorigenicity in prostate cancer," <u>PNAS</u> , 102(3):719-824 (2005).	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.